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Date: Tuesday, 21 September 2004

Time: 1130

From: Howard Kaiser, Esq.

To: Mr. Preston Wallace
Office of Initial Patent Examination (OIPE)
Mail Stop Missing Parts
U.S. Patent and Trademark Office
voice: (703) 308-1202
fax: (703) 746-4060

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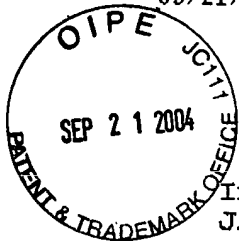
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. (703) 746-4060) on Tuesday, 21 September 2004.

Howard Kaiser

Remarks:

In re Patent Application of:	:	Conf. No.:	1376
JAMES DAVID MCWHITE	:		
	:		
Serial No.:	:	Art Unit:	3617
10/826,790	:		
Filing Date:	:		
04/16/04	:		
Attorney Docket No.:	:		
83,317	:		
	:		
Title:	:		
SHIP STOWAGE AID ANALYSIS PROGRAM	:		

Faxed herewith please find Applicant's "Response To Notice To File Missing Parts Of Nonprovisional Application" (1 page), along with a copy of the "Notice To File Missing Parts Of Nonprovisional Application" (1 page) mail-dated 04 August 2004.

**PATENTS****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: : Conf. No.: 1376
 JAMES DAVID MCWHITE :
 :
 Serial No.: 10/826,790 : Art Unit: 3617
 Filing Date: 04/16/04 :
 Attorney Docket No.: 83,317 :
 Title: SHIP STOWAGE AID ANALYSIS PROGRAM :

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

This is responsive to the "Notice to File Missing Parts of Nonprovisional Application Filed under 37 CFR 1.53(b)" mail-dated 04 August 2004, a copy of which is being faxed herewith.

Per the undersigned's 13 September 2004 phonecon with Mr. Preston Wallace of the Office of Initial Patent Examination, the Notice is inapposite as to the compact discs submitted by Applicant. Said Notice is of the kind typically directed by the Office to compact discs containing sequence listing information (See, e.g., 37 CFR 1.824; see also MPEP, Chapter 2400, entitled "Biotechnology"). In fact, Applicant's compact discs do not contain any sequence listing information; rather, Applicant's compact discs contain only computer program listing information relating to Applicant's invention. Accordingly, it is Applicant's understanding that Applicant's compact discs are acceptable to the Office.

Certificate of Facsimile Transmission under 37 CFR 1.8

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on Tuesday, September 21, 2004.

Typed or printed name of person signing this certificate

Howard Kaiser

Signature

Respectfully submitted,

HOWARD KAISER
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 ATTORNEY FOR APPLICANT

09/21/04
 date

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 September 21, 2004

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION
 NAVY CASE NO. 83,317



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/826,790	04/16/2004	James David McWhite	83,317

38092
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CONFIRMATION NO. 1376
FORMALITIES LETTER



0000000013431691

Date Mailed: 08/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that they contain non-ASCII files. A new duplicate set of compact discs with only ASCII files is required. Any replacement compact disc submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set. If a directory of the disc could be printed, it is attached and non-ASCII files are marked on the directory listing.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

M-MALHE

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE